

**MONTGOMERY COUNTY PLANNING COMMISSION
COUNTY ADMINISTRATION BUILDING
451 WEST THIRD STREET
DAYTON, OHIO 45422-1350**

**MINUTES
MAY REGULAR MEETING**

May 10, 2018

The Fifth Regular Meeting of the Montgomery County Planning Commission was held Thursday, May 10, 2018, at 8:30 a.m. in the Tenth Floor Hearing Room, County Administration Building, 451 West Third Street, Dayton, Ohio.

MEMBERS PRESENT: *Sheila Crane* *Doug Harnish*
 Michael Cromartie *Richard Holmes*
 Carl Daugherty *William Uhl, II*
 Judy Dodge *James Zengel*

OTHERS PRESENT: *Gwen Eberly, Planning Staff*
 Larry Weissman, Planning Staff
 Bert Kelsey, County Engineer's Office
 Ron Fulmer, County Engineer's Office
 David Swanson, County Environmental Services Dept.
 Alex Hale, County Prosecutors Office
 Mark Stuart, County Engineer's Office

MINUTES:

On a motion by Ms. Crane, and seconded by Mr. Zengel, it was moved to approve the minutes from the Regular Meeting held Thursday, April 12, 2018.

On a call of roll: Ms. Crane, aye; Mr. Cromartie, aye; Mr. Daugherty, aye; Ms. Dodge, aye; Mr. Harnish, aye; Mr. Holmes, aye; Mr. Zengel, aye; Mr. Uhl, abstained. Motion carried.

ZONING CASES:

ZC 429-18 – Miami Township

Mr. Weissman stated the Zoning Commission has initiated this text amendment case in order to seek the addition of Childcare Center as a principal permitted use in the B2 Business District. The amendments would expand the opportunity for the establishment of a necessary service in a logical and well regulated manner.

Mr. Weissman reviewed the proposed amendment which would expand the establishment of childcare centers to areas of general business use, including areas around the Dayton Mall and

Miami Crossing. The use would also be subject to the restrictions and development standards that apply to uses within the B2 District.

Staff recommends approval of the zoning text amendment and following a brief discussion, the Planning Commission suggested that Miami Township consider establishing development standards in the future to clarify zoning requirements.

On a motion by Mr. Daugherty and seconded by Mr. Uhl, it was moved to recommend approval of Zoning Case ZC 429-18 for Miami Township as recommended by the Planning Staff with the recommendation to consider establishing development standards in the future.

All approved; Motion carried.

ZC 430-18 – Miami Township

Mr. Weissman stated The Zoning Commission has initiated this zoning text amendment case in order to update Article 31 PLANNED DEVELOPMENTS, Section 3104 Standards for Planned Development.

The amendment will add clarity and brevity to the standards to explicitly include superior design and compatibility with surrounding development, as required standards for planned developments.

To accomplish this, subparagraphs A through F will be replaced by subparagraphs A through E, as shown on the attachment to this report. In practice, requests for planned developments are currently subjected to those standards, however the amendment would establish explicit language adding clarity to the Section. The new language is consistent with the Ohio Revised Code and professional planning practice. The language would not introduce new land uses or review practices.

Staff recommends the approval of the requested text amendment.

On a motion by Ms. Dodge and seconded by Mr. Holmes, it was moved to recommend approval of Zoning Case ZC 430-18 for Miami Township as recommended by the Planning Staff.

On a call of roll: Ms. Crane, aye; Mr. Cromartie, aye; Mr. Daugherty, aye; Ms. Dodge, aye; Mr. Harnish, aye; Mr. Holmes, aye; Mr. Zengel, abstained; Mr. Uhl, aye. Motion carried.

ZC 431-18 – Miami Township

Mr. Weissman stated the Zoning Commission has initiated this case in order to update Section 3202.02 SITE PLANNING, which is contained within Article 32 Planned Development District.

The rationale of the request is to create more concise organization of the section by eliminating several separate sub paragraphs in favor of including those requirements as part of the language of subparagraphs B and C. The amendment would not introduce any new site planning requirements.

The amendment would also impose new language specifying that the site plan include landscaping and lighting plans. Landscaping and lighting controls are currently required as part of the development plan, and are implicitly required. However the amendment would establish explicit wording to clarify that a plan for lighting and landscaping must be included within the final development plan.

The proposed amendment contains clear and logical language and reduces the number of separate sub paragraphs in favor of more concise, but still exhaustive language.

Mr. Weissman made it clear that the purpose of this amendment is to allow for minor changes in the site plan, subsequent to the PD approval.

Staff recommends approval of the proposed zoning text amendment.

On a motion by Ms. Crane and seconded by Ms. Dodge, it was moved to recommend approval of Zoning Case ZC 431-18 for Miami Township as recommended by the Planning Staff.

On a call of roll: Ms. Crane, aye; Mr. Cromartie, aye; Mr. Daugherty, aye; Ms. Dodge, aye; Mr. Harnish, aye; Mr. Holmes, aye; Mr. Zengel, abstained; Mr. Uhl, aye. Motion carried.

ZC 432-18 – Miami Township

Mr. Weissman stated the Zoning Commission has initiated this case to amend Section 3803 ACCESSORY USES AND STRUCTURES NOT PERMITTED – RESIDENTIAL, OFFICE, F, NR, ALL PD, ALL PS AND WELLHEAD OPERATION DISTRICTS, so as to preclude the use of shipping, storage, or cargo containers, railroad cars and bus bodies as allowed accessory uses within those zoning districts.

The amendment affects land use within residential, office and open space zoning districts within the township. The use of large containers and vehicles as storage devices in such areas can lead to visual blight and other off site impacts associated with storage facilities. The amendment would not preclude the use of these types of devices in other, more intensive land use districts.

The amendment would preserve the viability of residential and office areas by precluding a potentially obstructive land use that is not critical to the operation of residential or office establishments.

Mr. Weissman clarified that this amendment only affects permanent, accessory uses and would not include semi-trailers or storage pods which are temporary use issues.

Staff recommends approval to amend Section 3803 of the Zoning Code.

On a motion by Mr. Daugherty and seconded by Mr. Uhl, it was moved to recommend approval of Zoning Case ZC 432-18 for Miami Township as recommended by the Planning Staff.

All approved; Motion carried.

REPLATS:

The Village at Austin Landing – Miami Township

Mr. Weissman stated this is a replat to create two commercial lots on a total of 2.3225 acres of land, located to the south of Landing Way at the intersection of Landing Way and Springboro Pike (SR 741). Access will be available from an internal private drive (Liverpool Lane) that connects to Landing Way. A commercial development of Lot #53 has been approved for zoning purposes by Miami Township. No development of Lot #54 has been proposed. No public improvements are necessitated by the replat.

There was discussion about access to the site if the proposed use were something like a restaurant. Access to the site would come from Liverpool. Questions about whether there is sufficient space on the lot to meet parking requirement is a matter that would be addressed in the zoning review when a project is submitted for review.


Staff recommends approval of the Record Plan.

On a motion by Mr. Holmes and seconded by Ms. Dodge, it was moved to recommend approval of the replat for The Village at Austin Landing in Miami Township as recommended by the Planning Staff.

All approved; Motion carried.

Meeting was adjourned as there was no further business to come before the Planning Commission.


for Erik Collins
Executive Director


Douglas Harnish
Chairman

Date Approved: 6/14/18